

1 THE HONORABLE JAMES L. ROBART
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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 UNITED STATES OF AMERICA,) No. CR 16-284-JLR
9 Plaintiff,) (PROPOSED) ORDER GRANTING
10 v.) UNOPPOSED MOTION TO
11 DONALD McCOY, JR.,) CONTINUE TRIAL AND PRETRIAL
12 Defendant.) MOTIONS DUE DATE

13 Based on the unopposed motion of the defendant to continue the trial date and
14 extend the pretrial motion deadline and the facts and circumstances contained therein,
15 which are incorporated by reference as findings of fact, the Court finds:

- 16 1. The ends of justice served by granting this continuance outweigh the best
17 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).
18 2. Proceeding to trial absent adequate time for the defense to prepare would
19 result in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).
20 3. The defense needs additional time to explore issues of some complexity,
21 which would make it unreasonable to expect adequate preparation for pretrial
22 proceedings or for trial itself within the time limits established by the Speedy Trial Act
23 and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

1 4. Taking into account the exercise of due diligence, a continuance is necessary
2 to allow the defendant the reasonable time for effective preparation of his defense. 18
3 U.S.C. § 3161(h)(7)(B)(iv).

4 IT IS THEREFORE ORDERED that the trial date is continued from January 3,
5 2017, to June 5, 2017. Additionally, the period of delay from the date of this order
6 through the new trial date is hereby excluded for speedy trial purposes under 18 U.S.C.
7 § 3161(h)(7)(A) and (B).

8 Pretrial motions are due no later than April 21, 2017.

9 DONE this 29th day of November, 2016. *JLR*

10 
11 JAMES L. ROBART
12 UNITED STATES DISTRICT JUDGE

13 Presented by:

14 *s/ Vanessa Pai-Thompson*
15 Assistant Federal Public Defender
16 Attorney for Donald McCoy, Jr.